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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ANTHONY CALZADA,

Case No. 2:22-cv-02050-GMN-NJK

6

Plaintiff

ORDER

7

v.

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LARRY WILLIAMSON, et al.,

9

Defendants

11 On December 8, 2022, pro se plaintiff Anthony Calzada, an inmate in the custody of the
 12 Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. Docket No.
 13 1-1. Plaintiff has neither paid the full \$402 filing fee for this matter nor filed an application to
 14 proceed *in forma pauperis*. *See* Docket No. 1.

15 **I. DISCUSSION**

16 The United States District Court for the District of Nevada must collect filing fees from
 17 parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402,
 18 which includes the \$350 filing fee and the \$52 administrative fee. *See* 28 U.S.C. § 1914(b). “Any
 19 person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed
 20 *in forma pauperis*.” LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate
 21 must submit **all three** of the following documents to the Court: (1) a completed **Application to**
 22 **Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that
 23 is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is
 24 page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail
 25 official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the**
 26 **previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2); LSR 1-2. *In forma pauperis* status
 27 does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate
 28 can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

As explained above, Plaintiff has neither paid the full filing fee nor applied to proceed *in forma pauperis*. The Court gives Plaintiff **until February 10, 2023**, to either pay the filing fee or submit an application to proceed *in forma pauperis*.

II. CONCLUSION

It is therefore ordered that Plaintiff has **until February 10, 2023** to either pay the full \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents: (1) a completed application with the inmate's two signatures on page 3, (2) a completed financial certificate that is signed both by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account statement for the previous six-month period.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a complete application to proceed *in forma pauperis* or pay the required filing fee.

The Clerk of the Court is directed to send Plaintiff Anthony Calzada the approved form application to proceed *in forma pauperis* for an inmate and instructions for the same and retain the complaint, Docket No. 1-1, but not file it at this time.

DATED: December 13, 2022.

~~NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE~~